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Signature

Date

3-22-04

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Utility Patent Application based on:

U.S. Serial No. 10/624,246

Filed: July 22, 2003

Inventor: James R. Massie

Title: APPARATUS AND METHOD FOR ISOLATING AND MEASURING MOVEMENT  
IN A METROLOGY APPARATUS

Priority: U.S. Serial No. 09/803,268, filed March 9, 2001

**REQUEST FOR CORRECTED FILING RECEIPT**

Office of Initial Patent Examination's  
Customer Service Center  
Commissioner of Patents  
and Trademarks  
Washington, DC 20231

Sir:

Applicant respectfully requests that the following change be made in the filing receipt, and that a new filing receipt be issued. The requested change is marked in red ink in the attached copy of the filing receipt. In particular, the section labeled "**Domestic Priority data as claimed by applicant**" should be changed to: **This application is a CON of 09/803,268 03/09/2001 PAT 6,612,160** instead of **This application is a CON of 09/855,960 05/15/2002 PAT 6,530,268 which is a CON of 09/803,268 03/09/2001 PAT 6,612,160**. The nature and scope of this error can be confirmed by reviewing the Supplemental Preliminary Amendment filed simultaneously herewith. A copy of the filing receipt, with the error noted, is enclosed.



Request for Corrected Filing Receipt dated March 22, 2004

Ser. No. 10/624,246; filed July 22, 2003

Inventor: James R. Massie

Page 2

No fees are believed to be payable with the filing of this communication. Nevertheless, the Director is hereby authorized to charge payment of any additional fees associated with this or any other communication or credit any overpayment to Deposit Account No. 50-1170.

Respectfully submitted,

Jay G. Durst

Registration No. 41,723

Dated: March 22, 2004

BOYLE & FREDRICKSON NEWHOLM

STEIN & GRATZ, S.C.

250 Plaza, Suite 1030

250 East Wisconsin Avenue

Milwaukee, WI 53202

Telephone: 414-225-9755



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
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APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/624,246	07/22/2003	2881	1842	528.094	7	48	10

23598  
 BOYLE FREDRICKSON NEWHOLM STEIN & GRATZ, S.C.  
 250 E. WISCONSIN AVENUE  
 SUITE 1030  
 MILWAUKEE, WI 53202

CONFIRMATION NO. 7552

## FILING RECEIPT



\*OC000000012035728\*

Date Mailed: 03/05/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

James R. Massie, Santa Barbara, CA;

## Assignment For Published Patent Application

Veeco Instruments Inc.;

## Domestic Priority data as claimed by applicant

This application is a CON of ~~09/855,060 05/15/2001 PAT 6,530,268~~  
 which is a CON of 09/803,268 03/09/2001 PAT 6,612,160

## Foreign Applications

If Required, Foreign Filing License Granted: 03/04/2004

Projected Publication Date: 06/10/2004

Non-Publication Request: No

Early Publication Request: No

## Title

Apparatus and method for isolating and measuring movement in a metrology apparatus

Preliminary Class

250

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**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

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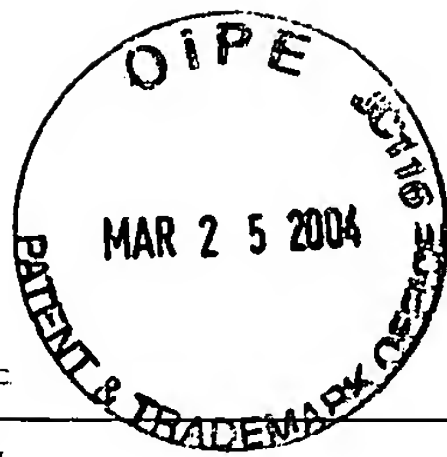
The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

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BOYLE  
FREDRICKSON  
NEWHOLM  
STEIN & GRATZ SC



INTELLECTUAL PROPERTY LAW

SUITE 1030

250 EAST WISCONSIN AVENUE

MILWAUKEE, WI 53202

PHONE: 414.225.9755 FAX: 414.225.9753

E-MAIL: MAIL@BOYLEFRED.COM

JAY G. DURST  
DIRECT DIAL: 414-225-1681  
JGD@BOYLEFRED.COM

March 22, 2004

Mail Stop Box Patent Application  
Commissioner for Patents  
P O Box 1450  
Alexandria, VA 22313-1450

Re: Utility Patent Application Serial No. 09/803,268; filed March 9, 2001  
Inventor: James R. Massie  
Title: *APPARATUS AND METHOD FOR ISOLATING AND  
MEASURING MOVEMENT IN A METROLOGY APPARATUS*  
Assignee: Veeco Instruments Inc.  
**USPTO Customer Account No.: 23598**  
Attorney Docket No.: 528.094

Dear Sir:

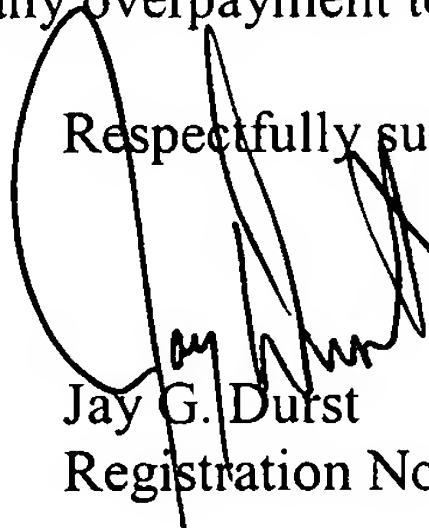
Enclosed is a Preliminary Amendment in connection with the above-referenced patent application, which was filed on July 22, 2003, now U.S. Serial No. 09/803,268.

Please note that this Preliminary Amendment is being filed to correct the priority claim made in connection with Applicant's July 22, 2003, filing. In particular, this application is a continuation application of U.S. Serial No. 09/803,268, filed March 9, 2001, (not U.S. Ser. No. 09/855,960, as indicated previously) and as such is entitled to priority under 35 U.S.C. §120.

Also enclosed is a Request for Corrected Filing Receipt in which the Applicant respectfully requests that the correction of the priority claim be made in the filing receipt, and that a new filing receipt be issued.

The Director is hereby authorized to charge payment of any additional fees associated with this communication or credit any overpayment to Deposit Account No. 50-1170.

Respectfully submitted,

  
Jay G. Durst  
Registration No. 41,723

Enclosures  
{00043515.DOC /}